

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EMMA DUNN and ALANA DUNN,

Plaintiff,

v.

MARCLITE ELECTRICAL
CORPORATION, et al.,

Defendants.

Case No. 1:25-cv-00565-JLT-BAM

**ORDER VACATING FINDINGS AND
RECOMMENDATIONS** (Doc. 3)

**ORDER DIRECTING PLAINTIFFS TO
FILE SIGNED COMPLAINT**

**ORDER DENYING MOTION TO AMEND
CAPTION** (Doc. 4)

Plaintiffs Emma Dunn and Alana Dunn (“Plaintiffs”), proceeding pro se, filed this action on May 12, 2025. (Doc. 1.) The complaint was not signed by either plaintiff. Accordingly, on May 15, 2025, the Court issued an order striking the unsigned complaint and directing Plaintiffs to file a signed complaint within thirty days. (Doc. 2.) Plaintiffs failed to file a timely signed complaint. As a result, the Court issued Findings and Recommendations to dismiss this action based on Plaintiffs’ failure to obey the Court’s order and failure to prosecute. (Doc. 3.)

On June 30, 2025, Plaintiffs filed objections to the Findings and Recommendations indicating that they will sign the complaint. (Doc. 5 at 7.) The Court will therefore vacate the pending Findings and Recommendations and grant Plaintiffs additional time to file a signed complaint. However, Plaintiffs are advised that no further extensions of time will be granted absent a demonstrated showing of good cause.

1 On June 30, 2025, Plaintiffs also filed a motion to amend the caption. (Doc. 4.) Although
2 not entirely clear, Plaintiffs appear to seek leave to amend the caption to change the names of
3 defendants in this case. (*Id.* at 2-3.) As there is no signed complaint on file, Plaintiffs' request to
4 amend the caption is premature. The Court will therefore deny the motion to amend the caption
5 without prejudice. If Plaintiffs file a signed complaint in this action, then they should include the
6 correct names for any defendants in the caption of the signed complaint.

7 Based on the above, IT IS HEREBY ORDERED as follows:

- 8 1. Plaintiffs' motion to amend the caption (Doc. 4) is DENIED without prejudice.
- 9 2. The Findings and Recommendations issued on June 26, 2024 (Doc. 3), are HEREBY
10 VACATED.
- 11 3. Within **thirty (30) days** of service of this Order, Plaintiffs shall file a complaint (or a
12 notice of voluntary dismissal) signed by **both** Plaintiff Emma Dunn and Plaintiff
13 Alana Dunn.
- 14 4. No extension of time will be granted without a showing of good cause.
- 15 5. Plaintiffs are warned that the failure to comply with this order will result in dismissal
16 of this action for failure to prosecute and failure to obey a court order.

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18 IT IS SO ORDERED.

19 Dated: July 3, 2025

20 /s/ Barbara A. McAuliffe
21 UNITED STATES MAGISTRATE JUDGE
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